

72223 U.S. PTO  
07/25/97

PATENT

Docket No. 221.P1

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

### NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Murty N. Arimilli, Kenneth C. Cundy, Joseph P. Dougherty, Choung U. Kim, Reza (NMI) Oliyai and Valentino J. Stella

For (title): NUCLEOTIDE ANALOGS

#### 1. Type of Application

This new application is for a(n) (check one applicable item below):

- ☐ Original
- ☐ Design
- ☐ Plant
- ☐ Divisional
- ☐ Continuation
- ☒ Continuation-in-part (CIP) of U.S. Provisional Application 60/022,708  
filed July 26, 1996

#### CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this "New Application Transmittal" and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date July 25, 1997 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EH949256037US addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Vicki Collins

(Type or print name of person mailing paper)

Vicki Collins  
(Signature of person mailing paper)

2. **Benefit of Prior U.S. Application(s) (35 USC 120)**

- ☒ The new application being transmitted claims the benefit of prior U.S. Provisional Application 60/022,708 filed July 26, 1996.

3. **Papers Enclosed Which Are Required for Filing Date Under 37 CFR 1.53 (b) (Regular) or 37 CFR 1.153 (Design) Application**

71 Pages of specification

4 Pages of claims

1 Pages of Abstract

       Sheets of drawing

☐ formal

☐ informal

4. **Additional Papers Enclosed**

- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement (37 CFR 1.98)
- ☐ Form PTO-1449
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- ☐ Special Comments

5. **Declaration or Oath**

- ☒ Enclosed
- ☐ executed by (*check all applicable boxes*)
- ☐ inventor(s).
- ☐ legal representative of inventor(s). 37 CFR 1.42 or 1.43
- ☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.
- ☐ this is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached. *See item 13 below for fee.*

☐ Not enclosed.

☐ Application is made by a person authorized under 37 CFR 1.41(c) on behalf of **all** the above named inventor(s).

☐ Showing that the filing is authorized.

**6. Inventorship Statement**

The inventorship for all the claims in this application are:

☐ The same

or

☒ Are not the same.

**7. Language**

☒ English

☐ non-English

☐ the attached translation is a verified translation. 37 CFR 1.52 (d).

**8. Assignment**

☒ An assignment of the invention to:  
GILEAD SCIENCES, INC.

☐ is attached.

☐ A separate "RECORDATION FORM COVER SHEET" is also attached.

or

☐ A separate FORM PTO 1906 is also attached.

☒ will follow.

**9. Certified Copy**

Certified copy(ies) of application(s)

\_\_\_\_\_  
(country)

\_\_\_\_\_  
(application no.)

\_\_\_\_\_  
(filed)

\_\_\_\_\_  
(country)

\_\_\_\_\_  
(application no.)

\_\_\_\_\_  
(filed)

from which priority is claimed

☐ is(are) attached.

☐ will follow.

**10. Fee Calculation (37 CFR 1.16)**

**A. ☒ Regular application**

CLAIMS AS FILED						
	Number filed		Number Extra		Rate	Basic Fee 37 CFR 1.16 (a) \$770.00
Total Claims (37 CFR 1.16 (c))	32	- 20 =	12	X	\$22.00	264.00
Independent Claims (37 CFR 1.16 (b))	3	- 3 =	0	X	\$80.00	
Multiple dependent claim(s), if any (37 CFR 1.16 (d))				X	\$260.00	

- ☐ Amendment cancelling extra claims enclosed.  
☐ Amendment deleting multiple-dependencies enclosed.  
☐ Fee for extra claims is not being paid at this time.

Filing Fee Calculation \$ 1,034.00

**B. ☐ Design application**

(\$300.00---37 CFR 1.16 (f))

Filing Fee Calculation \$

**C. ☐ Plant application**

(\$490.00---37 CFR 1.16 (g))

Filing Fee Calculation \$

**11. Small Entity Statement(s)**

- ☒ Verified Statement(s) that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is(are) attached.

Filing Fee Calculation (50% of A, B or C above) \$ 517.00

**12. Request for International-Type Search (37 CFR 1.104 (d)) (complete, if applicable)**

- ☐ Please prepare an international-type search report for this application at the time when national examination on the merits take place.

**13. Fee Payment Being Made At This Time**

- ☐ Not Enclosed  
☐ No filing fee is to be paid at this time. (This and the surcharge required by 37 CFR 1.16 (e) can be paid subsequently.)

- ☒ Enclosed

☒ basic filing fee \$ 517.00

☐ recording assignment (\$40.00; 37 CFR 1.21 (h)) \$

- ☐ petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached.  
(\$130.00; 37 CFR 1.47 and 1.17 (h)) \$
- ☐ for processing an application with a specification in a non-English language.  
(\$130.00; 37 CFR 1.52 (d) and 1.17 (k)) \$
- ☐ processing and retention fee  
(\$130.00; 37 CFR 1.53 (d) and 1.21 (l)) \$
- ☐ fee for international-type search report  
(\$35.00; 37 CFR 1.21 (e)). \$
- Total fees enclosed** \$ 517.00

**14. Method of Payment of Fees**

- ☐ Check in the amount of \$
- ☒ Charge Account No. 07-1250 in the amount of \$ 517.00  
A duplicate of this transmittal is attached.

**15. Contingent Petition for Extension of Time**

If a paper is untimely filed in the subject application by applicant(s) or her/his/their representative, the Commissioner is hereby petitioned under 37 C.F.R. §1.136(a) for the minimum extension of time required to make said paper timely.

**16. Authorization to Charge Additional Fees**

- ☒ The Commissioner is hereby authorized by this document to charge any additional fees which may be required by this paper and during the entire pendency of this application to Account No. 07-1250, except the issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b).

**17. Instructions as to Overpayment**

- ☒ credit Account No. 07-1250
- ☐ refund

Reg. No. 36,616

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SIGNATURE OF AGENT

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Type or print name of agent

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